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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,590

09/15/2003

Shunsuke Nagatani

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EXAMINER

SMITH, JEFFREY S

ART UNIT

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2624

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/661,590	Applicant(s) NAGATANI ET AL.	
	Examiner JEFFREY S. SMITH	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/25/08, 1/28/08</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Requirement for Information

The requirement to submit every rejection made in Japanese application number 2002-272567 and Japanese application number 2002-272523, which was made in the previous Office action, continues until the issue fee is paid. If no rejections have been made subsequent to the rejections that are currently of record, then applicant should indicate this fact. Also, the requirement to submit art cited by the Japanese Patent Office in Japanese application number 2002-272567 and Japanese application number 2002-272523, which was made in the previous Office action, continues until the issue fee is paid. The requirement to indicate the status of Japanese application number 2002-272523, Japanese application number 2002-272567, and every application that claims priority to either of these applications, has not been addressed in applicant's last response and is therefore repeated here.

This requirement is an attachment of the enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 7,167,191 issued to Hull et al. ("Hull") in view of S. Uchihashi et al., "Video Manga: Generating Semantically Meaningful Video Summaries," Proceedings of the ACM Multimedia, pp. 383-392, 1999 ("Uchihashi").

For claim 1, Hull discloses an input unit that accepts an input keyword (User interface 900 may also include a text search window 910 which allows the user to search the presentation information. col. 17 lines 3-13).

Hull discloses an extraction unit that extracts a character string contained in static image data by at least one of (1) extracting text data from the static image data which has the text data, and (2) performing character recognition processing on the static image data and extracting text data which is a result of the processing (The results obtained from applying OCR techniques to the video keyframes (which are still images) and applying speech recognition techniques to the audio information may be indexed for full text retrieval. col. 13 lines 46-53).

Hull discloses a retrieval unit that matches the extracted character string with the input keyword to retrieve relevant static image data (see figure 9B).

Hull discloses a storage unit that stores static image data which are associated with time positions in a video data, the static image data being displayed with the video during time positions with which the static image data are associated (see figure 9B, see also col. 9 lines 22-53. The keyframe static image data form a still image that is

associated with a time position in a video data, the keyframe static image data being displayed with the video during the time position with which the keyframe static image data are associated, which is static image data described on page 6 of this application).

Hull discloses a display unit that displays the retrieved static image data as a static image data (see figure 9B. see also col. 17 lines 16-20. see also col. 9 lines 22-53).

Hull discloses a video display unit that, according to user's operation for selecting at least one of the displayed relevant static image data, reproduces and displays relevant video data as an image from a reproduction time position with which the static image data is associated (see figure 9B. see also col. 17 lines 16-20. see also col. 9 lines 22-53. The keyframe is a still image that is displayed and indicates a point in the video sequence where replay can begin).

Uchihashi discloses a retrieval result display unit that displays the retrieved relevant static image data as a list of images (see figures 2-3 and 5) , varying size of the displayed relevant static image data based on at least one of importance of the static image data and information added to the static image data (see figures 2-3 and 5 for example in figure 2 the sizes of the still images are changed using a predetermined criterion).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Hull to include Uchihashi's variable size static image data. All the claimed elements were known in the prior art at the time of invention. One skilled in the art at the time of invention could have combined the system of Hull with the variable

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size static image data of Uchihashi with no change in their respective functions, and the combination would have yielded predictable results of displaying a list of static images having different sizes according to a predetermined criterion in Hull's system.

Furthermore, in this case, the particular known technique of changing the size of static image data according to a predetermined criterion was recognized as part of the ordinary capabilities of one skilled in the art at the time of invention. Also, one of ordinary skill in the art at the time of invention would be motivated to change the size of static image data displayed as a list for the benefit of guiding a user's attention to important keyframe static image data as taught by Uchihashi in section 4.3.

Claims 1, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,249,281 issued to Chen et al. ("Chen") in view of U.S. Patent No. 6,834,371 issued to Jensen et al. ("Jensen").

For claim 1, Chen discloses an input unit that accepts an input keyword (see figure 8 keyword search field 820).

Chen discloses an extraction unit that extracts a character string contained in static image data and a retrieval unit that matches the extracted character string with the input keyword to retrieve relevant static image data (see figure 8 the keyword is input to the keyword search field 820 and static image data with extracted character strings that match the keyword are retrieved).

Chen discloses a storage unit that stores static image data which are associated with time positions in a video data, the static image data being displayed with the video

during time positions with which the static image data are associated (see figure 8 the retrieved static image data is displayed as a static image, and the static image data is displayed at a given reproduction time position associated with the video data when the user selects the static image, such as the beginning of the presentation for example. See also column 5 line 57 through column 6 line 32 and figure 5).

Chen discloses a retrieval result display unit that displays the retrieved relevant static image data (see figure 5 540), varying size of the displayed relevant static image data based on at least one of importance of the static image data and information added to the static image data (510).

Chen discloses a video display unit for displaying the retrieved static image data as a static image (see figure 8 the retrieved static image data is displayed as a static image); and according to user's operation for selecting the displayed static image, reproducing and displaying video data as an image from a reproduction time position with which the static image data is associated (the video data is displayed at a given reproduction time position associated with the static image data when the user selects the static image, such as the beginning of the presentation for example. See also figure 5 and column 5 line 57 through column 6 line 32).

Chen does not explicitly disclose extracts a character string contained in static image data by at least one of (1) extracting text data from the static image data which has the text data, and (2) performing character recognition processing on the static image data and extracting text data which is a result of the processing.

Jensen discloses extracts a character string contained in static image data by at least one of (1) extracting text data from the static image data which has the text data, and (2) performing character recognition processing on the static image data and extracting text data which is a result of the processing (in the case of a presentation consisting of plural screen slides, the text from each screen slide is preferably extracted and stored in a data file, with such data being available for searching see col. 4 lines 41-47 and col. 15 line 58-col. 16 line 4).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Chen to include Jensen's extracting text data from static image data to retrieve relevant static image data. All the claimed elements were known in the prior art as shown by Chen and Jensen. One skilled in the art, at the time of invention, could have used known software programming methods to combine the presentation interface functions of Chen with the keyword searching functions of Jensen, with no change in their respective functions, to yield the predictable results of using keywords for retrieving relevant static image slides in Chen's presentation interface. Furthermore, in this case, the particular known technique of extracting text from static image data and making the text available for keyword search and retrieval was recognized at the time of invention as part of the ordinary capabilities of one skilled in the art. Also, one of ordinary skill at the time of invention would be motivated to provide keyword searching of text in static image data for the benefit of advancing the presentation to the corresponding slide static image data as taught by Jensen in col 9 line 57-col 10 line 43.

Response to Arguments

The requirement for information is satisfied by submitting a response to each question asked in the requirement for information made in the previous Office action. If a question has not been answered, the presumption is that applicant has no information to provide. However, applicant should directly state this on the record to be clear. If applicant does have information that is responsive to a question, then applicant is required to provide such information. The use of a telephone interview to clarify a satisfactory response to one question in the requirement does not relieve applicant of providing a complete response to every question that is on the record. The requirement for information is not modified or changed by oral interview, rather, the entire written requirement made in the previous action is effective until answered in full or modified in writing by this Office.

Applicant stated that the requirement for information is satisfied by submitting Japanese Office actions and references cited in Japanese applications 2002-272567 and 2002-272523. This is true if every Office action from these Japanese applications has been submitted, if every reference cited in every Japanese Office action has been submitted, if no other applications claim priority to either of these Japanese applications, and if the amendments and arguments made in this U.S. application are similar to the amendments and arguments made in the corresponding Japanese application. For example, if a rejection was made by the Japanese government in application number 2002-272567 subsequent to the rejection made on July 23, 2007, then this rejection, along with any art cited in the rejection, must be submitted in order to satisfy the

requirement under 37 CFR 1.105. If no other rejections have been made, then this fact should be part of the record.

Applicant has failed to indicate the current status of either of these Japanese applications, therefore, the Examiner presumes that both applications are still under rejection in Japan. If any claim in either of these Japanese applications has been allowed, disclosing this information is helpful in advancing prosecution.

Applicant's arguments filed January 25, 2008 have been fully considered but they are not persuasive. The combination of Hull and Uchihashi discloses varying the size of the displayed static image data based on the importance or information added to the data as discussed in the above rejection. Chen discloses varying the size of the displayed static image data based on the importance or information added to the data because when a static image is an active slide, the size changes. An active slide is an important slide because it is the focus of attention for the viewers.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

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calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY S. SMITH whose telephone number is (571)270-1235. The examiner can normally be reached on M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571 272-7429.

JSS

April 8, 2008

/Jingge Wu/

Supervisory Patent Examiner, Art Unit 2624